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US Department of Energy

DEC 15 2010

Electricity, Delivery and Energy Reliability

December 15, 2010

Mr. Anthony Como  
U.S. Department of Energy  
Office of Electricity Delivery and Energy Reliability  
OE-20, Room 8G-024  
1000 Independence Avenue, SW  
Washington, D.C. 20585

Re: *Intercom Energy, Inc.*  
Docket No. EA-289-B  
Renewal Application for Authorization to Transmit Electric Energy to Mexico

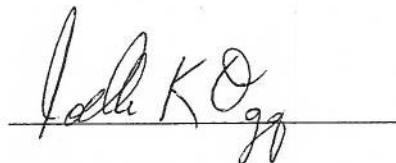
Dear Mr. Como:

Please find enclosed for filing an original and fifteen copies of a Renewal Application of Intercom Energy, Inc. for Authorization to Transmit Electric Energy to Mexico. In addition, please find enclosed a check for \$500.00 payable to the Treasurer of the United States.

Please date-stamp and return the two additional copies to the messenger.

Please do not hesitate to contact me if you have any questions about this application.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Joelle K. Ogg", is written over a horizontal line.

Joelle K. Ogg

Counsel for Intercom Energy, Inc.

**UNITED STATES OF AMERICA  
BEFORE THE  
DEPARTMENT OF ENERGY  
OFFICE OF FOSSIL ENERGY**

Intercom Energy, Inc.

)

Docket No. EA-289-B

**RENEWAL APPLICATION OF INTERCOM ENERGY, INC. FOR  
AUTHORIZATION TO TRANSMIT ELECTRIC ENERGY TO MEXICO**

Pursuant to Section 202(e) of the Federal Power Act, 16 U.S.C. § 824a(e) (2006) and the regulations governing applications for authorization to transmit electric energy to a foreign country, 10 C.F.R. § 205.300, et seq. (2010), Intercom Energy, Inc. (“Intercom”) hereby submits this renewal application and requests that the Department of Energy (“DOE”) grant it blanket authorization to export electric energy from the United States of America (“United States”) to Mexico over any authorized international electric transmission facilities that are appropriate for “open access” transmission by third parties, including facilities that have been authorized but not yet constructed and placed into operation (once such facilities have been issued a Presidential Permit and placed into commercial operation), in accordance with the export limits authorized by the DOE. A list of the currently authorized international transmission facilities is attached as Attachment A. Intercom further requests that the DOE authorize Intercom to export electric energy for a term of five years beginning no later than May 17, 2011, which is the day after Intercom’s current authorization expires.

## I. DESCRIPTION OF APPLICANT AND BACKGROUND

Intercom Energy, Inc. is a California corporation with its principal place of business in Coronado, California. Intercom is a wholly-owned subsidiary of Intercom Energy USA, Inc. ("Intercom USA"), which also is a California company with its principal place of business in Coronado, California.

Intercom does not own, control or operate any electric generation, distribution or transmission assets or natural gas transportation or distribution assets in the United States or Mexico. Intercom also does not have a franchised electric power service area or service territory for the transmission, distribution or sale of electric power in the United States or Mexico. In addition, none of Intercom's affiliates have a franchise or service territory for the transmission, distribution or sale of electric power or own any electric generation, transmission or distribution facilities.

Pursuant to an order issued on December 20, 2001<sup>1</sup> and a re-authorization order issued on February 10, 2005<sup>2</sup> by the Federal Energy Regulatory Commission in Docket Nos. ER02-267-000 and ER02-267-002, Intercom is authorized to engage in wholesale sales of electric power in interstate commerce at market-based rates. Intercom has filed with the Federal Energy Regulatory Commission its baseline tariff compliance filing, which was approved on November 17, 2010.<sup>3</sup> In addition, Intercom has filed with the Federal Energy Regulatory Commission its Order No. 697 compliance filing, which includes a revised market-based rate tariff. Intercom's Order No. 697 compliance filing

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<sup>1</sup> *Intercom Energy, Inc.*, Docket No. ER02-267-000 (December 20, 2001) (unpublished letter order).

<sup>2</sup> *Intercom Energy, Inc.*, Docket No. ER02-267-002 (February 10, 2005) (unpublished letter order).

<sup>3</sup> *Intercom Energy, Inc.*, Docket No. ER10-3206-000 (November 17, 2010) (unpublished letter order).

is pending Federal Energy Regulatory Commission approval. A copy of the Federal Energy Regulatory Commission order re-authorizing Intercom to engage in wholesale sales of electric power in interstate commerce at market-based rates is attached as Attachment B.

On May 19, 2004, the DOE issued Order No. EA-289 authorizing Intercom to export electric energy to Mexico as a power marketer for a term of two years. On March 9, 2006, Intercom filed to renew its electric energy export authorization and submitted its "Application of Intercom Energy, Inc. for Renewal of Authorization to Transmit Electric Energy to Mexico". On May 17, 2006, the DOE issued Order No. EA-289-A renewing Intercom's authorization to export power to Mexico for a term of five years. The five-year term expires on May 16, 2011. For that reason, Intercom seeks to renew its authorization to export power to Mexico for a term of five years beginning no later than May 17, 2011, which is the day after Intercom's current authorization expires.

## **II. INFORMATION REQUIRED PURSUANT TO 10 C.F.R. § 205.302**

The following information is provided in accordance with the 18 C.F.R. § 205.302 (2010):

- A. The exact legal name of the application: Intercom Energy, Inc.
- B. The exact legal name of all partners: None.



C. The name, title, post office address, and telephone number of the person to whom correspondence in regarding to the application shall be addressed:

Ernesto Pallares  
Chief Executive Officer  
Intercom Energy, Inc.  
1330 Orange Avenue  
Suite 327  
Coronado, CA 92118  
Telephone: (619) 863-9644  
Email: [ernestopallares@yahoo.com](mailto:ernestopallares@yahoo.com)

Joelle K. Ogg  
Brunenkant Law Firm, LLP  
805 15<sup>th</sup> Street, N.W., Suite 510  
Washington, DC 20005-2289  
Telephone: (202) 408-0700  
Fax: (202) 408-5959  
Email: [ogg@bc-law.net](mailto:ogg@bc-law.net)

D. The state or territory under the laws of which the applicant is organized or incorporated, or authorized to operate. If the applicant is authorized to operate in more than one state, all pertinent facts shall be included:

Intercom is a California corporation with its principal place of business in Coronado, California.

Intercom may engage in transactions in which it purchases surplus electric energy from electric utilities and other suppliers within the United States, wheels such electric energy through facilities located in the United States, and exports such electric energy to third parties in Mexico. Intercom requests export authorization to complete these transactions to the extent necessary under the Federal Power Act and the applicable regulations.

E. The name and address of any known Federal, State or local government agency which may have jurisdiction over the action to be taken in this application and a brief description of that authority:

Intercom does not know of any other Federal, State or local government that has jurisdiction over the actions to be taken under the authority sought in this application.

F. A description of the transmission facilities through which the electric energy will be delivered to the foreign country, including the name of the owners and the location of any remote facilities:

Intercom seeks a blanket authorization to export electric energy to Mexico over any authorized international electric transmission facilities that are appropriate for open access transmission by third parties, including facilities that have been authorized but not yet constructed and placed into operation (once such facilities have been issued a Presidential Permit and placed into commercial operation),<sup>4</sup> in accordance with the export limits authorized by the DOE. Intercom does not propose to construct any facilities of its own.

G. A technical description of the proposed electricity export's reliability, fuel use and system stability impact on the applicant's present and prospective electric power supply system. Applicant must explain why the proposed electricity export will not impair the sufficiency of electric supply on its system and why the export will not impede or tend to impede the regional coordination of electric utility planning or operation.

Intercom seeks authority to transmit electric energy to Mexico. As previously stated, Intercom does not own, control or operate any generation, transmission or other facilities in the United States. Thus, Intercom has no "system" of its own in the United States on which its exports of power could have a reliability, fuel use or stability impact.

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<sup>4</sup> In addition to the international transmission facilities located at the United States border with Mexico authorized by Presidential Permit and available for open-access transmission, it is Intercom's understanding that the international transmission facilities at Falcon Dam in Falcon Heights, Texas, which were authorized by treaty signed February 3, 1944, between the United States and Mexico and titled "Utilization of Waters of Colorado and Tijuana Rivers and of the Rio Grande" also are available for open-access transmission. Thus, Intercom also requests that the DOE authorize Intercom to be able to export electric energy to Mexico on the Falcon Dam international transmission facilities.

Intercom will purchase the electric energy to be exported to Mexico from electric utilities and federal power marketing agencies as those terms are defined in Sections 3(22) and 3(19) of the Federal Power Act, 16 U.S.C. §§ 796(22) and 796(19) (2006). By definition, such power is surplus to the system of the electric utilities and federal power marketing agencies and, thus, will not impair or have an adverse consequence on the sufficiency or operation of the electric power system and regional transmission systems within the United States or on the maintenance of adequate generation resources in the United States.

Intercom will make all necessary commercial arrangements, will obtain sufficient transmission capacity to wheel the exported energy to the border system, and will obtain all other regulatory approvals required in order to affect any power exports. This will include: (1) scheduling each transaction with the appropriate contract area in compliance with all reliability criteria, standards, and guidelines of the North American Electric Reliability Corporation and member regional entities in effect at the time of export; (2) coordinating exports with the authorized international electric transmission facilities, balancing authorities, regional entities, and/or other appropriate entities such that the total exports across the interconnection(s) are in conformance with the applicable operating limits and requirements; and (3) obtaining all necessary transmission access over the authorized international electric transmission facilities that are appropriate for open access transmission by third parties.

The existing procedures for obtaining transmission capacity on domestic transmission systems provide adequate assurance that the delivery of energy to the border systems will not impair the reliability of the United States electric power supply system.



In addition, the services taken by Intercom to effectuate delivery of the electric energy to the border systems usually will be arranged via the Open-Access Same-Time Information System and provided pursuant to an open-access transmission tariff, which are approved by the Federal Energy Regulatory Commission.

Moving the energy through the border systems and across the border to Mexico will not impair the United States electric power supply system nor impede coordinated use of regional facilities. Intercom will make the necessary commercial arrangements and will obtain sufficient transmission capacity to deliver the energy over the border systems and into Mexico. Traditional technical studies have been performed, submitted and reviewed by the DOE in connection with the export authorizations issued to the facilities over which Intercom will export electric energy. Intercom respectfully requests that the DOE utilize these operational reliability impact studies to make the necessary determinations and to conclude that the proposed export will have no adverse consequence on the operation of regional transmission systems. To the extent that Intercom exports energy over the international transmission facilities, Intercom will abide by the export limits set forth in the appropriate export authorizations for such facilities.

H. Signature and verification under oath by the officer of the applicant having knowledge of the matters set forth herein.

This Application has been verified under oath by an officer of Intercom who has knowledge of the matters set forth herein. The verification is included in Attachment C to this Application.

### **III. PROCEDURES**

Intercom will make and preserve complete records regarding the electric energy exported to Mexico and will provide the DOE with reports by the last day of the month



following each calendar month.<sup>5</sup> These reports will show the gross amount of kilowatt-hours of electric energy delivered and the consideration received thereof during each month and also the maximum hourly rate of transmission and any other information required by the DOE.

#### IV. EXHIBITS REQUIRED BY 10 C.F.R. § 205.303

Pursuant to 10 C.F.R. § 205.303 (2010), the following Exhibits are attached to this Application:

A. Exhibit A. A copy of the agreement or proposed agreement under which the electricity is to be transmitted including a listing of the terms and conditions. If this agreements contains proprietary information that should not be released to the general public, the applicant must identify such data and include a statement explaining why proprietary treatment is appropriate.

Not applicable. No such agreements exist at this time.

B. Exhibit B. A showing, including a signed opinion of counsel, that the proposed export of electricity is within the corporate power of the applicant, and that the applicant has complied or will comply with all pertinent Federal and State laws.

Please see the attached opinion of counsel included in Exhibit B.

C. Exhibit C. A general map showing the applicant's overall electric system and a detailed map highlighting the location of the facilities or the proposed facilities to be used for the generation and transmission of the electric energy to be exported. The detailed map shall identify the location of the proposed border crossing point(s) or power transfer point(s) by Presidential Permit number whenever possible.

Not applicable. Intercom does not own or operate any electric system facilities or electric energy generation or transmission facilities and also does not propose to build any such facilities. To the extent necessary, Intercom requests waiver of the requirement to provide a map identifying the location of the proposed border crossing points or power transfer points by Presidential Permit number. Intercom requests authorization to export

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<sup>5</sup> It is Intercom's understanding that Intercom is and has been required to file quarterly/monthly reports with the DOE and, thus, is and was not required to file annual reports.

electric energy from the United States to Mexico over any authorized international electric transmission facilities that are appropriate for open access transmission by third parties,<sup>6</sup> in accordance with the export limits authorized by the DOE. To the extent the owners of the international transmission facilities have provided maps of their systems as part of their Presidential Permit applications and export authority applications, Intercom requests that such maps be deemed to satisfy the requirement for Intercom to produce such maps in this proceeding.

D. Exhibit D. If an applicant resides or has its principle office outside of the United States, such applicant shall designate, by irrevocable power of attorney, an agent residing within the United States. A verified copy of such power of attorney shall be furnished with the application.

Not applicable. Intercom's principle office is in California.

E. Exhibit E. A statement of any corporate relationship or existing contract between the application and any other person, corporation, or foreign government, which in any way relates to the control or fixing of rates for the purchase, sale or transmission of electric energy.

Not applicable. Intercom does not have any corporate or contractual relationship with any person, corporation or foreign government that in any way relates to the control or fixing of rates for the purchase, sale or transmission of electric energy.

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<sup>6</sup> In addition to the international transmission facilities located at the United States border with Mexico authorized by Presidential Permit and available for open-access transmission, it is Intercom's understanding that the international transmission facilities at Falcon Dam in Falcon Heights, Texas, which were authorized by treaty signed February 3, 1944, between the United States and Mexico and titled "Utilization of Waters of Colorado and Tijuana Rivers and of the Rio Grande" also are available for open-access transmission. Thus, Intercom also requests that the DOE authorize Intercom to be able to export electric energy to Mexico on the Falcon Dam international transmission facilities.

F. Exhibit F. An explanation of the methodology (Operating Procedures) to inform neighboring electric utilities in the United States of the available capacity and energy which may be in excess of the applicant's requirements before delivery of such capacity to the foreign purchaser. Approved firm export, diversity exchange and emergency exports are exempt from this requirement. Those materials required in this section which may have been filed previously with the ERA may be incorporated by reference.

Not applicable. As stated above, Intercom does not own or operate any generation or transmission facilities in the United States. To the extent Intercom will rely on the border facilities to effectuate electric energy exports, Intercom will rely on the Operating Procedures adopted by those border facilities to inform neighboring utilities of the available capacity and energy that may be in excess of the requirements before delivery of such capacity to a foreign purchaser.

## V. CONCLUSION

For the reasons stated above, Intercom requests that the Department of Energy grant it blanket authorization to export electric energy from the United States to Mexico over any authorized international electric transmission facilities that are appropriate for open access transmission by third parties, in accordance with the export limits authorized by the DOE.

Respectfully submitted,

**INTERCOM ENERGY, INC.**

December 15, 2010



Joelle K. Ogg  
Brunenkant Law Firm, LLP  
805 Fifteenth Street, N.W., Suite 510  
Washington, D.C. 20005  
Telephone: (202) 408-0700  
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Email: [ogg@bc-law.net](mailto:ogg@bc-law.net)

Attorney for Intercom Energy, Inc.



Intercom Energy, Inc.  
Docket No. EA-289-B

**EXHIBIT B**

BRUNENKANT LAW FIRM, LLP

ATTORNEYS AT LAW

805 FIFTEENTH STREET, N.W.

SUITE 510

WASHINGTON, D.C. 20005-2276

(202) 408-0700

FAX: (202) 408-5959

December 15, 2010

Mr. Anthony Como  
U.S. Department of Energy  
Office of Electricity Delivery and Energy Reliability  
OE-20, Room 8G-024  
1000 Independence Avenue, SW  
Washington, D.C. 20585

Re: *Intercom Energy, Inc.*  
Docket No. EA-289-B  
Renewal Application for Authorization to Transmit Electric Energy to Mexico

Dear Mr. Como:

As counsel to Intercom Energy, Inc. ("Applicant"), I have been asked to provide a legal opinion pursuant to 10 C.F.R. § 205.303(b) in support of the Renewal Application of Intercom Energy, Inc. for Authorization to Transmit Electric Energy to Mexico, dated December 15, 2010 ("Renewal Application").

Based on my knowledge and understanding of Applicant's proposal and my examination of such documents, corporate records, certificates, and other documents that I have deemed necessary or relevant to review for the purposes of this opinion, I state and give my opinion that:

- (1) I have examined and am familiar with the Renewal Application, including its Exhibits and Attachments;
- (2) I have examined and am familiar with the corporate powers of Applicant, pursuant to Applicant's Articles of Incorporation and By-Laws;
- (3) I am generally familiar with the federal laws governing the export of electric energy by entities like Applicant;
- (4) Applicant has the corporate power and authority to export electric energy to Mexico as described in the Renewal Application;
- (5) Applicant has complied or is in the process of complying with all pertinent Federal and State laws required to export electric energy as proposed in the Renewal

Intercom Energy, Inc.  
Docket No. EA-289-B

**ATTACHMENT A**



## ATTACHMENT A

### Authorized International Transmission Facilities Located at the United States Border with Mexico

Present Owner/Facility	Location	Voltage	Presidential Permit No.
AEP Texas Central Co.	Laredo, TX	138 kV 230 kV	PP-317
	Brownsville, TX	138 kV 69 kV	PP-94
	Eagle Pass, TX	138 kV	PP-219
El Paso Electric Co.	Diablo, NM	115 kV	PP-92
	Ascarate, TX	115 kV	PP-48
Falcon Dam <sup>1</sup>	Falcon Heights, TX		N/A
Generadora del Desierto – WAPA	San Luis, AZ	230 kV	PP-304
San Diego Gas & Electric	Miguel, CA	230 kV	PP-68
	Imperial Valley, CA	230 kV	PP-79
Sharyland Utilities, Inc.	McAllen, TX	138 kV	PP-285

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<sup>1</sup> In addition to the international transmission facilities located at the United States border with Mexico authorized by Presidential Permit and available for open-access transmission, it is Intercom's understanding that the international transmission facilities at Falcon Dam in Falcon Heights, Texas, which were authorized by treaty signed February 3, 1944, between the United States and Mexico and titled "Utilization of Waters of Colorado and Tijuana Rivers and of the Rio Grande" also are available for open-access transmission. Thus, Intercom also requests that the DOE authorize Intercom to be able to export electric energy to Mexico on the Falcon Dam international transmission facilities.

Intercom Energy, Inc.  
Docket No. EA-289-B

**ATTACHMENT B**

110 FERC ¶61,100  
FEDERAL ENERGY REGULATORY COMMISSION  
Washington, D.C. 20426

February 10, 2005

In Reply Refer To:  
Intercom Energy, Inc.  
Docket No. ER02-267-002

Paul, Hastings, Janofsky & Walker LLP  
Attn: Mr. William P. Scharfenberg, Esq.  
Counsel for Intercom Energy, Inc.  
1299 Pennsylvania Avenue, N.W.  
Tenth Floor  
Washington, D.C. 20004

Dear Mr. Scharfenberg:

1. On December 17, 2004, Intercom Energy, Inc. (Intercom) filed an updated market analysis pursuant to the requirements of the Commission's order granting Intercom authority to sell electric energy and capacity at market-based rates.<sup>1</sup> Intercom already has on file the Commission's market behavior rules.<sup>2</sup> As discussed below, the Commission concludes that Intercom satisfies the Commission's standards for market-based rate authority.

2. Intercom acts as a power marketer that purchases and resells electricity to its wholesale customers. Intercom is a wholly-owned subsidiary of Intercom Energy USA, Inc. (Intercom USA). Intercom USA is primarily engaged in identifying and developing potential business opportunities in the United States. Intercom states that, currently, Intercom USA has not identified any such business opportunities and has no other holdings besides Intercom.

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<sup>1</sup> *Intercom Energy, Inc.*, Docket No. ER02-267-000 (December 20, 2001) (unpublished letter order).

<sup>2</sup> *Investigation of Terms and Conditions of Public Utility Market-Based Rate Authorizations*, 105 FERC ¶ 61,218 (2003), *order on reh'g*, 107 FERC ¶ 61,175 (2004). Intercom's market behavior rules were previously accepted by the Commission. *Acadia Power Partners, LLC*, Docket No. ER03-1372-001 (March 29, 2004) (unpublished letter order).



3. Intercom states that it received authorization from the U.S. Department of Energy on May 19, 2004 under Order No. EA-289 to export electric energy to Mexico over certain existing transmission lines in California, New Mexico, and Texas. Intercom's authorization will expire on May 19, 2006. Intercom states that it has not exported any electricity under this authorization.

### **Procedural Matters**

4. Notice of Intercom's December 17, 2004 filing was published in the *Federal Register*, 70 Fed. Reg. 803 (2005), with motions to intervene, comments, and protests to be filed by January 7, 2005. None was filed.

### **Discussion**

5. The Commission allows power sales at market-based rates if the seller and its affiliates do not have, or have adequately mitigated, market power in generation and transmission and cannot erect other barriers to entry. The Commission also considers whether there is evidence of affiliate abuse or reciprocal dealing.<sup>3</sup> As discussed below, the Commission concludes that Intercom satisfies the Commission's standards for market-based rate authority.

6. Intercom states that it does not own or control any generation, nor is it affiliated with any generation-owning entity. Accordingly, the Commission finds that Intercom satisfies the Commission's generation market power standard for the grant of market-based rate authority.

7. Intercom states that it does not own or control any transmission, nor is it affiliated with any entities owning transmission assets. Based on this representation, the Commission finds that Intercom satisfies the Commission's transmission market power standard for the grant of market-based rate authority.

8. Intercom states that because it does not own or control any generation or transmission assets, and is not affiliated with any entities that own generation or transmission assets, it cannot erect barriers to market entry. Based on this representation, the Commission is satisfied that neither Intercom nor any of its affiliates can erect barriers to entry.

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<sup>3</sup> See, e.g., *Progress Power Marketing, Inc.*, 76 FERC ¶ 61,155 at 61,919 (1996); *Northwest Power Marketing Co., L.L.C.*, 75 FERC ¶ 61,281 at 61,899 (1996); accord *Heartland Energy Services, Inc.*, 68 FERC ¶ 61,223 at 62,062-63 (1994).

9. Intercom states that it does not have franchised service territories, nor does it have affiliates with franchised service territories. Based on this representation, the Commission finds that Intercom satisfies the Commission's concerns with regard to affiliate abuse.

10. Consistent with the procedures the Commission adopted in Order No. 2001, an entity with market-based rates must file electronically with the Commission an Electric Quarterly Report containing: (1) a summary of the contractual terms and conditions in every effective service agreement for market-based power sales; and (2) transaction information for effective short-term (less than one year) and long-term (one year or greater) market-based power sales during the most recent calendar quarter.<sup>4</sup> Electric Quarterly Reports must be filed quarterly no later than 30 days after the end of the reporting quarter.<sup>5</sup>

11. With regard to reporting changes in status that would reflect a departure from the characteristics the Commission has relied upon in approving market-based pricing, the Commission instituted a rulemaking proceeding in Docket No. RM04-14-000.<sup>6</sup> The Commission proposed to amend its regulations and to modify the market-based rate authority of current market-based rate sellers to establish a reporting obligation for changes in status. Accordingly, the change in status reporting obligation for Intercom is subject to the provisions of the Change in Status Final Rule.

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<sup>4</sup> *Revised Public Utility Filing Requirements*, Order No. 2001, 67 Fed. Reg. 31,043 (May 8, 2002), FERC Stats. & Regs. ¶ 31,127 (2002). Required data sets for contractual and transaction information are described in Attachments B and C of Order No. 2001. The Electric Quarterly Report must be submitted to the Commission using the EQR Submission System Software, which may be downloaded from the Commission's website at <http://www.ferc.gov/Electric/eqr/eqr.htm>.

<sup>5</sup> The exact dates for these reports are prescribed in 18 C.F.R. § 35.10b (2004). Failure to file an Electric Quarterly Report (without an appropriate request for extension), or failure to report an agreement in an Electric Quarterly Report, may result in forfeiture of market-based rate authority, requiring filing of a new application for market-based rate authority if the applicant wishes to resume making sales at market-based rates.

<sup>6</sup> *Reporting Requirement for Changes in Status for Public Utilities with Market-Based Rate Authority*, Order No. 652, 110 FERC ¶ 61,097 (2005) (Change in Status Final Rule).

Docket No. ER02-267-002

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12. Intercom is directed to file an updated market power analysis within three years of the date of this order, and every three years thereafter. The Commission also reserves the right to require such an analysis at any intervening time.

By direction of the Commission.

( S E A L )

Linda Mitry,  
Deputy Secretary.

Intercom Energy, Inc.  
Docket No. EA-289-B

**ATTACHMENT C**



UNITED STATES OF AMERICA  
BEFORE THE  
DEPARTMENT OF ENERGY  
OFFICE OF FOSSIL ENERGY

Intercom Energy, Inc.

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Docket No. EA-289-B

VERIFICATION

I, Ernesto Pallares, being first duly sworn, depose and state:

1. My name is Ernesto Pallares. I am the Chief Executive Officer of Intercom Energy, Inc.
2. I have knowledge of the matters set forth in the "Renewal Application of Intercom Energy, Inc. for Authorization to Transmit Electric Energy to Mexico." I hereby verify that I am authorized to execute this Verification and that the factual assertions contained in the Application are true and correct to the best of my knowledge and belief.

By: \_\_\_\_\_

Ernesto Pallares  
Chief Executive Officer  
Intercom Energy, Inc.  
1330 Orange Avenue  
Suite 327  
Coronado, CA 92118

Sworn and subscribed before me at the City of Chula Vista, in the State of California, this 10th day of December 2010.

Luiz M. Liberato  
\_\_\_\_\_  
Notary Public

My Commission Expires: 3-23-2013

